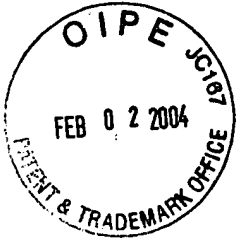


1631

ARNOLD & PORTER LLP

202.942.5000
202.942.5999 Fax
555 Twelfth Street, NW
Washington, DC 20004-1206



February 2, 2004

Mail Stop Non-Fee-Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Re: U.S. Patent Application Serial No. 09/300,482
Filed: April 28, 1999
Inventors: Nordine CHEIKH *et al.*
Title: Nucleic Acid Molecules and Other Molecules
Associated with the Phosphogluconate Pathway
Atty. Docket: 16517.216

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (PTO) are the following documents:

1. Response to Notice of Non-Responsive Communication;
2. Amendment and Response; and
3. Return postcard.

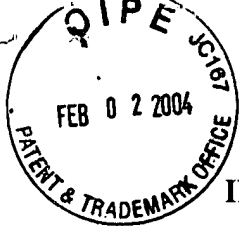
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

In the event that extensions of time beyond those petitioned for herewith are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any additional fees are due in conjunction with this filing. However, if any fees under 37 C.F.R. § 1.16 or § 1.17 are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docket number 16517.216. A duplicate copy of this letter is enclosed.

Sincerely,

David R. Marsh (Reg. No. 41,408)
Holly Logue Prutz (Reg. No. 47,755)

Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Nordine CHEIKH *et al.*

Appln. No.: 09/300,482

Filed: April 28, 1999

For: Nucleic Acid Molecules and Other Molecules Associated with the Phosphogluconate Pathway

Conf. No.: 4511

Art Unit: 1631

Examiner: M. Moran

Atty. Docket: 16517.216

Response to Notice of Non-Responsive Communication

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the notice of non-responsive communication mailed January 2, 2004, which alleged that Applicants failed to list the status of all claims ever presented, in particular the status of the canceled claims, Applicants submit herewith an amended copy of the Response to the Office Action Dated June 17, 2003, which was filed on September 17, 2003, and an accompanying transmittal letter. The response has been amended to include a complete listing of the claims, including the canceled claims, beginning on page 2 of the Response.

In view of the foregoing remarks, it is respectfully submitted that the present application is in condition for allowance, and notice of such is respectfully requested. The Examiner is encouraged to contact the undersigned should any additional information be necessary for allowance.

In the event that extensions of time beyond those petitioned for herewith are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe that any fees in addition to those provided for in the accompanying documents, are due at this time. However, if any fees under 37 C.F.R. 1.16 or 1.17 are required in the present application, including any fees for extensions of time, authorization to charge such fees is given in the accompanying transmittal letter.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "D. R. Marsh", with a long horizontal flourish extending to the right.

David R. Marsh (Reg. No. 41,408)
Holly Logue Prutz (Reg. No. 47,755)
Thomas E. Holsten (Reg. No. 46,098)

Date: February 2, 2004

ARNOLD & PORTER LLP
Attn: IP Docketing
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Washington, D.C. 20004-1206
(202) 942-5000 telephone
(202) 942-5999 facsimile



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Nordine CHEIKH *et al.*

Appl. No.: 09/300,482

Filed: April 28, 1999

Conf. No. 4511

Art Unit: 1631

Examiner: M. Moran

Atty. Docket: 16517.216

For: Nucleic Acid Molecules and Other Molecules Associated with the
Phosphogluconate Pathway

Amendment and Response

Mail Stop Non-Fee-Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated January 2, 2004 ("Office Action"),

Applicants submit the following amendment and remarks.

In the event that extensions of time beyond those petitioned for herewith are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe that any fees are due in conjunction with this filing. However, if any fees under 37 C.F.R. §§1.16 or 1.17 are required in the present application, including any fees for extensions of time, authorization to charge such fees is given in the accompanying transmittal letter.